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DEPARTMENT FOR S/WCI (WILLIAMSON/VIBUL-JOLLES), EUR
(JONES), AND EUR/SCE (FOOKS/STINCHCOMB)

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TAGS: [PGOV](#) [PINR](#) [PREL](#) [PTER](#) [BK](#) [AGAO](#)
SUBJECT: BOSNIA - SECURITY MINISTER SADOVIC'S RESPONSE TO
REQUEST TO TRANSFER SOME "ALGERIAN 6" DETAINEES

REF: A. STATE 123743
[1](#)B. SARAJEVO 1705

Classified By: Charge Judith Cefkin for reasons 1.4 (b) and (d)

[1](#)1. (S/NF) SUMMARY: The Charge and Acting Political Counselor met with Minister of Security Tarik Sadovic on November 24 to discuss the request in reftel A regarding the possible return to Bosnia of some members of the "Algerian Six" group of Guantanamo detainees. The Charge noted that we are now asking the Bosnians to consider accepting another detainee, Sabir Lahmar, who was not among the original group discussed by Ambassador Williamson during his recent visit to Bosnia (reftel B). Sadovic was very constructive during the meeting, and said he did not foresee any problems with a return on or about December 15 of the three detainees (Mohamed Nechla, Al-Haj Boudella, and Mustafa Ait Idir) who have Bosnian citizenship. Sadovic said that additional issues would have to be resolved before Bosnia could agree to accept the return of detainees without Bosnian citizenship. The Algerian Six (A-6) issue has gotten significantly more coverage in local press in the past few days. Articles in the Republika Srpska press have quoted some ethnic Serb nationalists critical of A-6 returns and accusing Sadovic of violating the Dayton Accords. In addition, Assistant Minister of Security Vjekoslav Vukovic was quoted as taking an apparently harder line with respect to the return of the A-6 than we have heard from Minister Sadovic. Vukovic's comments pointed to the policy conundrum raised by the A-6 issue in connection with the Citizenship Review Commission (CRC) process. If detainees who were stripped of citizenship by CRCs are allowed to return to Bosnia and stay here, this could raise questions about the integrity of the CRC process, and whether its results are binding in other cases. END SUMMARY

Working Group of Police and Intelligence Officials

[1](#)2. (S/NF) Sadovic confirmed that the Bosnian government has created a working group composed of members of the police and intelligence services to work out details of a transfer and a monitoring regime for detainees after they return. He also said that logistical requirements connected with a military flight of returning detainees, such as refueling and changing crews, should not pose any difficulties. Sadovic noted that the Bosnians have designated Ministry of Security official Samir Rizvo as the Bosnians' point of contact with the American government. (Note: Rizvo met with the Charge and the Acting Political Counselor on November 21. End note). Sadovic stressed that the Bosnian government would do everything it could to keep details of negotiations and transfer arrangements from leaking into the Bosnian press.

Potential Problems with Non-Citizens

¶3. (S/NF) Although Sadovic said he did not foresee any problems with the return of the three detainees who have Bosnian citizenship, he said that additional issues would have to be resolved before Bosnia could agree to accept the return of detainees who do not have citizenship. He said that the government would immediately begin reviewing our request to consider transfer of Sabir Lahmar, who was not among those discussed by Ambassador Williamson. Sadovic added that the working group has already begun to assess whether a legal basis exists for returning non-citizen detainees to Bosnia, including detainees who were stripped of their citizenship in the Citizenship Review Commission (CRC) process. He said one important factor in determining whether these detainees could return would be whether they have family members living in Bosnia. Sadovic also said it would be important, as an administrative matter, to determine whether these detainees (as well as the detainees who have citizenship) possess documents that indicate their identity and status in Bosnia.

Preference for Returning All Detainees at One Time

¶4. (S/NF) Sadovic said he would prefer to bring back all detainees who qualified at one time, so that the Bosnian government only has to confront the public relations challenge of a return of detainees once. He said that he personally believes all five of the Algerian detainees in question should return to Bosnia. However, he acknowledged that this issue is not decided yet by the entire Government, and he said it would be a "disaster" if some of the A-6 were

returned to Bosnia only to be subject in turn to deportation.

He asked the USG to use its influence to ensure that those who could not return to Bosnia and stay here could go somewhere else. The Charge noted that we would not want issues connected with non-citizens to delay the return of those detainees who had citizenship, and that it was up to Bosnian officials to determine what their law allows with regard to the non-citizens. The Charge requested the GBiH response by December 1.

Press Commentary

¶5. (SBU) Although the local press was relatively quiet about the A-6 issue until last week, the issue has gotten significantly more coverage in the past few days. Articles in the Republika Srpska press have quoted some ethnic Serb nationalists critical of A-6 returns. For example, Nedeljko Mitrovic, President of the Association of RS War Veterans, was quoted as saying that A-6 detainees should not be allowed to return and, if they do, they should be arrested immediately and put on trial. Branislav Ducic, the head of Former Concentration Camp Victims of the RS, was quoted as making similar comments. These officials took specific aim at Sadovic, accusing him of violating Dayton. (Note: In response to reports about the Judge's decision in the A-6 case, Sadovic had earlier been quoted as saying that, if asked, BiH would be obliged to take its citizens back. End note)

¶6. (S/NF) In addition, Assistant Minister of Security Vjekoslav Vukovic was quoted in a Mostar daily on November 26 as taking an apparently harder line on the return of the A-6 than we have heard from Minister Sadovic. Vukovic, who headed the Citizenship Review Commission (CRC) process, reportedly said that the fact that three of the A-6 detainees do not have citizenship would bar them from being able to return to Bosnia. He also reportedly said that if the three who had citizenship returned to Bosnia, they might be subject to a citizenship review process similar to the one that resulted in A-6 detainees Boumedienne and Bensayah being stripped of their citizenship. (Note: We were unable to speak with Vukovic, an Embassy contact, about this today. However, Ministry of Security official Rizvo told us that his

understanding is that the three Algerian detainees who have Bosnian citizenship have already been vetted by the CRC process, and their cases could not be re-opened. End note)

Comment

17. (S/NF) What we have heard from Bosnian officials so far suggests the Government will accept a return on or around December 15 of the three A-6 detainees who have Bosnian citizenship. Minister of Security Sadovic, who is a strong Bosniak nationalist, also supports accepting detainees who do not have citizenship. However, the comments in the press of Assistant Minister Vukovic are probably indicative of reservations among other government officials on the question of accepting detainees without Bosnian citizenship, and we do not yet know how this will be resolved. The Charge attempted to speak with PM Spiric about this issue today, but he was unavailable because he was tied up in a Council of Ministers meeting. Vukovic's comments point to the policy conundrum raised by the return to Bosnia of detainees who were stripped of their Bosnian citizenship by the Citizenship Review Commission (CRC) process. This process was initiated with strong support from the U.S. as a way of ensuring that Dayton Accord requirements that "foreign fighters" leave Bosnia were honored. If A-6 detainees who were stripped of citizenship through this process return to Bosnia and are allowed to stay here, it may raise questions about the integrity of the CRC process, and whether its results are binding in other cases.

18. (S/NF) The criticism of A-6 returns that has begun to appear in the RS press suggests that the government may come under more pressure from ethnic Serbs on this issue (reftel B). Ethnic Serb nationalists may step up efforts to paint Bosniak politicians who argue for accepting detainees as being "soft" on terrorism. They may also try to depict Serb politicians who agree to accepting A-6 returns as "selling out" to the Bosniaks. When some or all of the five Guantanamo detainees return, we will need carefully tailored press guidance to handle the inevitable press barrage.
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